

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT ANTHONY ALVAREZ,
and STEVEN JOHN ROBBINS, on behalf
of themselves and others similarly situated,

No. 1:24-cv-01174-RJJ-MV

Plaintiffs,

HON. ROBERT J. JONKER

VS.

MAG. MAARTEN VERMAAT

ELON REEVE MUSK, AMERICA PAC,
CHRIS GOBER, and CHRIS YOUNG,

Defendants.

**DEFENDANTS' MOTION TO DISMISS PLAINTIFFS' FIRST AMENDED
COMPLAINT PURSUANT TO FEDERAL RULES OF CIVIL PROCEDURE 12(B)(1)
AND 12(B)(6)**

Defendants Elon Musk, America PAC, Chris Gober, and Chris Young (together, "Defendants") respectfully move for dismissal of Plaintiffs' First Amended Complaint (ECF No. 7) under Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6) for lack of jurisdiction and failure to state a claim upon which relief may be granted.

In accordance with W.D. Mich. LCivR 7.1(d), counsel for Defendants contacted Plaintiffs' counsel to seek concurrence in this motion. Defendants did not obtain concurrence in the relief sought.

WHEREFORE, Defendants Elon Musk, America PAC, Chris Gober, and Chris Young respectfully request that this Court grant their Motion to Dismiss Plaintiffs' First Amended Complaint.

Dated: January 27, 2025

Respectfully submitted,

/s/ Robert L. Avers

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